

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

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By: Stacey L. Mullen, Esquire (SM5598)

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In Re:  
Jeffrey W. Winter,

Case No.: \_\_\_\_18-35219  
Judge: \_\_\_\_JNP  
Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION  
TO CREDITOR'S MOTION OR CERTIFICATION OF DEFAULT  
TO TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following  
(choose one):

1. \_\_\_\_ Motion for Relief from the Automatic Stay filed by creditor  
. A hearing has been scheduled for  
at \_\_\_\_ am

OR

\_\_\_\_ Motion to Dismiss filed by the Standing Chapter 13 Trustee.  
A hearing has been scheduled for \_\_, at \_\_\_\_ am.

\_\_\_\_ Certification of Default filed by creditor, Ford Motor Credit  
I am requesting a hearing be scheduled on this matter.

OR

X  Certification of Default filed by Standing Chapter 13 Trustee  
I am requesting a hearing be scheduled on this matter.

I am objecting to the above for the following reasons (choose one):

- \_\_\_\_ Payments have been made in the amount of \$ \_\_\_\_\_, but have  
not been accounted for. Documentation in support is attached hereto.  
\_\_\_\_ Payments have not been made for the following reasons and debtor proposes

repayment as follows (**explain your answer**):

X Other (**explain your answer**): Debtor is currently on a trial loan modification with his mortgage company. His last monthly trial payment is December 2020. He fully expects to make said payment, and once paid, he will be granted a permanent loan modification. After applying for approval of the permanent loan modification, all remaining mortgage arrears will be removed from his bankruptcy plan (almost \$13,000.00). Debtor is simply asking for a little time for the above to happen and approval of the permanent loan modification. As a show of good faith, Debtor can make a Trustee payment of approximately a full month. As you can imagine, meeting the trial loan modification payments have been little difficult in light of Covid 19 with his employment. If this present Trustee motion is carried until the end of January 2021, all of the above should occur and Debtor will be in a much better financial position to afford his new monthly Trustee payments, once the mortgage arrears are taken out.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify the above facts to be true. I am aware that if the above facts are willfully false, I am subject to punishment.

Date: 11/29/20

/s/ Jeffrey W. Winter  
Debtor's Signature

**NOTE:** Pursuant to the Court's General Orders entered on January 4<sup>th</sup>, 2005, this form must be filed with the Court and served upon the creditor and the Standing Chapter 13 Trustee, **at least seven (7) days before the return date, pursuant to DNJ LBR 9013-1(d), Motion Practice**, if filed in opposition to a *Motion for Relief from the Automatic Stay*; and **within 10 days of the filing of a Creditor's Certification of Default under an Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions**. Absent the filing of this mandatory new form, the creditor's stay relief motion will be deemed uncontested, and the creditor's appearance at the hearing will *not* be required.

1/3/05/jml